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PATENT
36731-000052

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICATION NO.: 10/523,529 ART UNIT: 3762
APPLICANT: John F. WETLING EXAMINER: Amanda Patton
FILED: August 11, 2005
FOR: ATMOSPHERIC ELECTRIC ACUPUNCTURE MONITOR
DOCKET NO.: 36731-000052

**NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop AF

Date: November 7, 2008

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated May 7, 2008 of the Primary Examiner finally rejecting claims 7-20.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ The enclosed document is concurrently filed with a Pre-Appeal Brief Request for Review.

Applicants hereby petition for an extension of **three (3) month(s)** pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

- ☒ **NO** extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of **\$555.00** is required for the **full period** of the above-requested extension of time.

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- ☐ An extension of _____ () month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$ _____ is required.
- ☒ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- ☐ Large entity - \$540.00
- ☒ Small Entity - \$270.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$0.00.

Payment of the above TOTAL FEE is being made in the following manner:

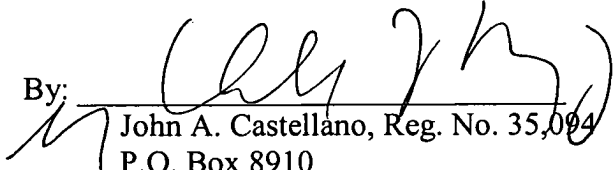
- ☒ Check in the amount of \$825.00 is enclosed.
- ☐ Please charge Deposit Account No. 08-0750 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By: _____

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JAC/JWF/dmc